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Attorneys for Defendants  
DINCEL LAW GROUP APC, KIM O. DINCEL, an  
individual AND W. JOHN LO, an individual

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JAMES TRULEY, an individual,  
Plaintiff,

v.

SHLOMO RECHNITZ, individually and dba  
ROCKPORT HEALTHCARE SERVICES,  
and dba ALTA VISTA HEALTHCARE &  
WELLNESS CENTER; ROCKPORT  
ADMINISTRATIVE SERVICES, LLC, a  
California limited liability company; DINCEL  
LAW GROUP, an entity of unknown type;  
KIM O. DINCEL, an individual; W. JOHN  
LO, an individual; RIVERSIDE  
HEALTHCARE & WELLNESS CENTRE,  
LLC, a California limited liability company;  
Tim G. Doe, an individual, Cecilia M. Doe, an  
individual, and DOES 1 to 50, inclusive,

Defendants.

Case No. 5:15-cv-00715-SJO-SP

**DECLARATION OF CHRISTOPHER R.  
MEZZETTI IN SUPPORT OF REPLY TO  
OPPOSITION TO DEFENDANTS  
DINCEL LAW GROUP, APC, KIM O.  
DINCEL AND W. JOHN LO'S MOTION  
TO COMPEL RESPONSES TO  
SPECIALLY PREPARED  
INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS  
FROM PLAINTIFF AND REQUEST FOR  
SANCTIONS PURSUANT TO FED. R.  
CIV. P. 37**

**Date: February 23, 2016  
Time: 10:00 a.m.  
Ctmm: 4, 3<sup>rd</sup> Fl.**

**Magistrate Judge Pym**

**Complaint filed: April 13, 2015**

**Trial Date: May 3, 2016**

I, Christopher R. Mezzetti, declare and state as follows:

1. I am an attorney duly admitted to practice before all courts of the State of

1 California and the United States District Court – Central District of California, and am an  
2 attorney in the law firm of Ropers, Majeski, Kohn & Bentley, attorneys of record in this matter  
3 for Defendants Dincel Law Group, APC, Kim O. Dincel, and W. John Lo (the “Dincel  
4 Defendants”). The following statements are based upon my personal knowledge of this matter  
5 and if called upon to testify, I could and would competently testify to the matters asserted herein.

6 2. On or about January 31, 2016, Plaintiff served deficient responses to my clients’  
7 Specially Prepared Interrogatories, Set One, and Requests for Production, Set One. The deficient  
8 responses were served after the filing of the present motion. Attached hereto as Exhibit I is a true  
9 and correct copy of Plaintiff’s Responses to Defendants Dincel Law Group APC, Kim O. Dincel,  
10 and W. John Lo’s First Set of Specially Prepared Interrogatories, Requests for Production of  
11 Documents, Set One, and First Set of Requests for Admission.

12 3. I am very sympathetic to Plaintiff’s counsel representations with regard to the  
13 difficulties and “sleepless nights” associated with newborn babies as I, as well, was blessed with a  
14 newborn baby girl in September of 2015.

15 4. Unfortunately, Plaintiff’s counsel failed to apprise me, or my office, of any  
16 difficulties associated with his wife’s pregnancy following a September 20, 2015, email. Nor did  
17 he provide my office with any information relating to his unavailability from September 2015  
18 through January 2016.

19 5. Though Plaintiff’s counsel was unable to meet and confer with me regarding his  
20 client’s failure to respond to discovery, it appears that he was able to participate in this litigation,  
21 to an extent, during the time frame in which his responses were due. On or about December 11,  
22 2015, Plaintiff’s counsel noticed the deposition of co-Defendant Rockport Healthcare Services.  
23 Plaintiff’s proof of service represented that the Dincel Defendants were served with a copy of said  
24 notice, though none was ever received. I attempted to meet and confer with Plaintiff’s counsel on  
25 the issue on January 5, 2016, after discovering the issue. I was essentially stonewalled by  
26 Plaintiff’s counsel on the issue. Attached hereto as Exhibit J is a true and correct copy of  
27 Plaintiff’s Notice of Deposition of Rockport Healthcare Services and true and correct copies of  
28 meet and confer correspondence on this issue.

